

## Recommended Positions on Bills of Importance to the City February 5, 2016

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### **HB 162 Incapacitated persons; expands class of victims of crime of financial exploitation.**

*Patron:* Kory

*Summary as introduced:*

**Financial exploitation of incapacitated persons.** Expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. Currently, victims must suffer from a mental incapacity. The bill also allows for forfeiture of personal property used in connection with the crime.

12/22/15 House: Prefiled and ordered printed; offered 01/13/16 16101060D

12/22/15 House: Referred to Committee for Courts of Justice

01/09/16 House: Impact statement from VCSC (HB162)

01/29/16 House: Impact statement from DPB (HB162)

**Notes:** City Position: support

### **HB 283 Electrical transmission line siting; hearing requested by locality.**

*Patrons:* Minchew, Mason, Anderson, Bell, John J., Collins, Murphy and Webert; Senators: Black, Surovell, Vogel and Wexton

*Summary as introduced:*

**Electrical transmission line siting; hearing requested by locality.** Requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any county or municipality through which the line is proposed to be built. Currently the SCC is required to conduct a hearing in the affected area if requested by 20 or more interested parties. The measure also provides that the affected localities are given the same protections whenever a significantly different route is deemed desirable by the SCC.

01/01/16 House: Prefiled and ordered printed; offered 01/13/16 16102893D

01/01/16 House: Referred to Committee on Commerce and Labor

01/10/16 House: Impact statement from SCC (HB283)

01/19/16 House: Assigned to sub: Special Subcommittee on Energy

**Notes:** City Position: support

### **HB 301 Justifiable homicide; reporting requirement of State Police.**

*Patrons:* Herring and Lingamfelter

*Summary as introduced:*

**Justifiable homicide; reporting requirement.** Requires the State Police to include justifiable homicides involving a law-enforcement officer in the annual Crime in Virginia report. The bill requires any law-enforcement or public safety officer required to report such homicides to receive training concerning such reporting requirement.

01/04/16 House: Referred to Committee on Militia, Police and Public Safety

01/18/16 House: Impact statement from DPB (HB301)

01/29/16 House: Assigned to sub: #3

02/01/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)  
02/05/16 House: Reported from Militia, Police and Public Safety with substitute (22-Y 0-N)  
**Notes:** City Position: support

**HB 366 Disposition of unclaimed property; intangible property held by locality.**

*Patrons:* Davis and Taylor; Senator: Wagner

*Summary as introduced:*

**Disposition of unclaimed property held by locality.** Limits the duty of a county, city, or town to report and remit abandoned intangible property by providing that intangible property that is held by a locality for the owner and that has remained unclaimed by the owner for more than one year after it became payable is presumed abandoned only if its value exceeds \$25.

01/05/16 House: Prefiled and ordered printed; offered 01/13/16 16102440D

01/05/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #1

01/20/16 House: Impact statement from DPB (HB366)

**Notes:** City Position: oppose

**HB 379 Electric utility; customer account information, warrant required.**

*Patron:* Marshall, R.G.

*Summary as introduced:*

**Electric utility customer account information; warrant required.** Provides that an electric utility shall not disclose any customer account information absent a search warrant or the customer's consent. The electric utility may still release customer account information in statistical or aggregate form, provided that no particular customer can be identified.

01/06/16 House: Prefiled and ordered printed; offered 01/13/16 16100732D

01/06/16 House: Referred to Committee on Commerce and Labor

01/19/16 House: Assigned to sub: Special Subcommittee on Energy

**Notes:** City Position: oppose

**HB 408 Virginia Retirement System; benefits.**

*Patron:* Ingram

*Summary as introduced:*

**Virginia Retirement System benefits.** Provides for an increase, beginning July 1, 2016, of the monthly retirement allowance payable to any person who retired with at least 15 years of creditable service before January 1, 1990, under the Virginia Retirement System or the State Police Officers' Retirement System (or predecessor retirement systems).

01/07/16 House: Prefiled and ordered printed; offered 01/13/16 16102793D

01/07/16 House: Referred to Committee on Appropriations

01/14/16 House: Assigned to sub: Subcommittee Compensation and Retirement

01/25/16 House: Impact statement from VRS (HB408)

**Notes:** City Position: oppose

**HB 458 Protective orders; assault and battery against protected person, penalty.**

*Patrons:* Murphy and Simon; *Senator:* Favola

*Summary as introduced:*

**Protective orders; assault and battery; penalty.** Provides that a person who is the subject of a protective order who commits an assault and battery resulting in bodily injury on the person protected by the order is guilty of a Class 6 felony. Currently, the assault and battery must result in serious bodily injury in order for the offense to be punishable as a Class 6 felony.

01/08/16 House: Prefiled and ordered printed; offered 01/13/16 16101011D

01/08/16 House: Referred to Committee for Courts of Justice

01/09/16 House: Impact statement from VCSC (HB458)

**Notes:** City Position: support

**HB 495 Synthetic turf; three-year moratorium on installation at schools and parks.**

*Patrons:* Simon and Plum; *Senator:* Howell

*Summary as introduced:*

**Three-year moratorium on installation of synthetic turf that contains recycled crumb rubber from waste tires at schools and recreational parks.** Places a three-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public or private elementary or secondary school, public or private preschool, or recreational park by any (i) public or private elementary or secondary school, (ii) public or private preschool, or (iii) local governing body. The bill also requires the Virginia Department of Health, in coordination with the Virginia Department of Conservation and Recreation and the Virginia Department of Education, to analyze the potential adverse health effects of synthetic turf that contains recycled crumb rubber from waste tires and report its findings to the General Assembly no later than July 1, 2017.

01/08/16 House: Prefiled and ordered printed; offered 01/13/16 16100846D

01/08/16 House: Referred to Committee on Education

01/15/16 House: Assigned to sub: Subcommittee Elementary and Secondary Education

01/28/16 House: Impact statement from VDH (HB495)

**Notes:** City Position: oppose

**HB 501 Request for Proposal; design-build transportation projects.**

*Patron:* Villanueva

*Summary as introduced:*

**Request for Proposal of design-build projects.** Allows for the submission and consideration of alternative technical concepts, defined in the bill, during the Request for Proposal process of a design-build transportation project.

01/08/16 House: Prefiled and ordered printed; offered 01/13/16 16102618D

01/08/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #4

02/03/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

**Notes:** City Position: support

**HB 526 Living shorelines; tax exemption from local property taxes.**

*Patron:* Hodges

*Summary as introduced:*

**Living shorelines; tax exemption.** Provides that any living shoreline project approved by the Virginia Marine Resources Commission or the applicable local wetlands board and not prohibited by local ordinance shall qualify for full exemption from local property taxes.

01/09/16 House: Prefiled and ordered printed; offered 01/13/16 16102649D

01/09/16 House: Referred to Committee on Finance

01/30/16 House: Impact statement from TAX (HB526)

02/02/16 House: Assigned to sub: Subcommittee #2

02/03/16 House: Subcommittee recommends reporting (6-Y 0-N)

**Notes:** City Position: oppose

**HB 533 Electrical transmission line siting; hearing requested by locality.**

*Patrons:* Bell, John J. and Murphy

*Summary as introduced:*

**Electrical transmission line siting; hearing requested by locality.** Requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any county or municipality through which the line is proposed to be built. Currently the SCC is required to conduct a hearing in the affected area if requested by 20 or more interested parties. The measure also provides that the affected localities are given the same protections whenever a significantly different route is deemed desirable by the SCC.

01/09/16 House: Prefiled and ordered printed; offered 01/13/16 16102542D

01/09/16 House: Referred to Committee on Commerce and Labor

01/14/16 House: Impact statement from SCC (HB533)

01/19/16 House: Assigned to sub: Special Subcommittee on Energy

**Notes:** City Position: support

**HB 536 Sponsored residential and shared living services; background checks for providers.**

*Patrons:* Hope and Kory

*Summary as introduced:*

**Sponsored residential and shared living services; background checks.** Establishes a requirement for a national fingerprint-based background check for providers of sponsored residential and shared living services.

01/09/16 House: Prefiled and ordered printed; offered 01/13/16 16102679D

01/09/16 House: Referred to Committee on Health, Welfare and Institutions

01/14/16 House: Assigned to sub: Subcommittee #3

02/03/16 House: Impact statement from DPB (HB536)

02/04/16 House: Subcommittee recommends reporting (5-Y 0-N)

**Notes:** City Position: support

**HB 543 Involuntary psychiatric treatment of an inmate; petition filed by sheriff.**

*Patron:* Watts

*Summary as introduced:*

**Involuntary psychiatric admission from local correctional facility.** Clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other officer in charge of the local correctional facility where the inmate is incarcerated.

01/09/16 House: Prefiled and ordered printed; offered 01/13/16 16102369D

01/09/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Mental Health

**Notes:** City Position: support

**HB 576 Electric and natural gas utilities; energy efficiency goals established, report.**

*Patrons:* Sullivan and Murphy

*Summary as introduced:*

**Electric and natural gas utilities; energy efficiency goals.** Requires investor-owned electric utilities, cooperative electric utilities, and investor-owned natural gas distribution utilities to meet incremental annual energy efficiency goals. Electric utilities are required to implement cost-effective energy efficiency measures to achieve the goal of two percent savings by 2031 and thereafter, with interim goals that start at 0.25 percent for 2017-2018 and increase in biennial increments of 0.25 percent until 2031. Gas utilities are required to achieve the goal of one percent savings by 2031 and thereafter, with interim goals that start at 0.125 percent for 2017-2018 and increase in biennial increments of 0.125 percent until 2031. The utilities are required to submit energy efficiency plans with the State Corporation Commission (SCC). The SCC (i) shall order changes to a plan submitted by a utility that does not demonstrate that the utility will achieve incremental annual energy efficiency goals; (ii) shall require utilities to commence compliance efforts with the incremental annual energy efficiency goals during calendar year 2017, though it may adjust the goal for 2017 if appropriate to address a partial year of implementation; (iii) may design performance incentives that reward utilities for exceeding efficiency goals; (iv) shall require utilities to report annually to the SCC on their efforts and progress in meeting the incremental annual energy efficiency goals; and (v) shall submit reports regarding compliance with the requirements of the incremental annual energy efficiency goals every five years.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16103886D

01/11/16 House: Referred to Committee on Commerce and Labor

01/15/16 House: Impact statement from SCC (HB576)

01/19/16 House: Assigned to sub: Special Subcommittee on Energy

**Notes:** City Position: support

**HB 578 Virginia Public Procurement Act; architects and engineers services, etc.**

*Patron:* Albo

*Summary as introduced:*

**Virginia Public Procurement Act; process for competitive negotiation; architects and engineers.** Provides that for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16101832D  
01/11/16 House: Referred to Committee on General Laws  
01/18/16 House: Assigned to sub: Subcommittee #2  
02/03/16 House: Impact statement from DPB (HB578)  
02/04/16 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N)  
**Notes:** City Position: oppose

**HB 606 Temporary detention order; voluntary admission.**

*Patron:* Bell, Robert B.

*Summary as introduced:*

**Temporary detention order; voluntary admission.** Provides that a magistrate shall issue a temporary detention order if a person (i) has a mental illness and there exists a substantial likelihood in the near future that he will cause serious harm to himself or others or suffer serious harm due to his lack of capacity to protect himself or provide for his basic needs and (ii) is in need of hospitalization or treatment, regardless of whether the person is willing and capable of volunteering for hospitalization or treatment. Currently, a temporary detention order cannot be issued if a person volunteers for hospitalization or treatment. If the person accepts voluntary admission, the bill provides that the temporary detention order will be deemed to have expired at that time and no commitment hearing need be held.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16100291D  
01/11/16 House: Referred to Committee for Courts of Justice  
01/12/16 House: Impact statement from VCSC (HB606)  
01/14/16 House: Assigned to sub: Subcommittee Mental Health  
01/29/16 House: Impact statement from DPB (HB606)

**Notes:** City Position: oppose

**HB 611 Water and sewer utilities; regulation.**

*Patrons:* Bell, Robert B. and Rasoul

*Summary as introduced:*

**Regulation of water and sewer utilities.** Makes water and sewer companies subject to the rules of the State Corporation Commission (SCC) regarding meetings and communications between SCC commissioners and any party, or between commissioners and staff, concerning any fact or issue arising out of a proceeding involving the regulation of rates, charges, services, or facilities of a utility. The measure requires the SCC, when setting rates relating to the use of water or sewer systems, to set the rates for use by a group of customers served by common facilities in a contiguous geographic area on the basis of the costs of serving that group alone and without reference to the costs of serving any other group of customers. The measure eliminates the requirement that a public utility publish notice of a proposed rate increase in a newspaper and requires the public utility to send notice of a proposed rate increase electronically to customers who receive bills electronically.

02/02/16 House: Committee substitute printed 16105081D-H1  
02/04/16 House: Read first time  
02/05/16 House: Read second time  
02/05/16 House: Committee substitute agreed to 16105081D-H1  
02/05/16 House: Engrossed by House - committee substitute HB611H1

**Notes:** City Position: support

**HB 634 Payday loan offices and motor vehicle title loan offices; distance from military installation.**

*Patrons:* Bell, John J. and Simon

*Summary as introduced:*

**Payday loan offices and motor vehicle titleloan offices; distance from military installation.**

Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within five miles of a military installation. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the five-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a military installation after a license was issued.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16102668D

01/11/16 House: Referred to Committee on Commerce and Labor

01/14/16 House: Impact statement from SCC (HB634)

01/26/16 House: Assigned to sub: Special Sub-Consumer Lending

02/04/16 House: Subcommittee recommends laying on the table (7-Y 0-N)

**Notes:** City Position: support

**HB 655 Sexual assault; physical evidence recovery kits collection by Department of State Police, etc.**

*Patron:* Filler-Corn

*Summary as introduced:*

**Sexual assault evidence collection and storage.** Requires the Department of State Police, local law-enforcement agencies, and campus police departments to collect evidence obtained in sexual assault investigations, including physical evidence recovery kits from sexual assault investigations where the victim elects at the time of examination not to report the assault to law enforcement. The bill provides that if the victim elects at the time of examination not to report the assault to law enforcement, the law-enforcement agency shall send the kit to the Division of Consolidated Laboratory Services of the Department of General Services, which shall retain the kit for a minimum of five years from the date of receipt or a minimum of five years after the victim reaches the age of majority, whichever is longer. If the victim elects at the time of examination to report the sexual assault to law enforcement, the kit shall be submitted by the law-enforcement agency to the Department of Forensic Science for analysis, then returned to the submitting law-enforcement agency for storage for the same time frame.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16103683D

01/11/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Criminal Law

**Notes:** City Position: support

**HB 675 Auxiliary grants; extends eligibility, supportive housing.**

*Patron:* Peace

*Summary as introduced:*

**Auxiliary grants; supportive housing.** Extends eligibility for auxiliary grants to include individuals residing in supportive housing, provided that the supportive housing provider has entered into an agreement for the provision of supportive housing with the Department of

Behavioral Health and Developmental Services. The bill establishes requirements for providers of supportive housing that enter into agreements with the Department.

01/28/16 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)

01/28/16 House: Committee substitute printed 16104862D-H1

01/28/16 House: Referred to Committee on Appropriations

01/28/16 House: Assigned to sub: Health & Human Resources

02/02/16 House: Impact statement from DPB (HB675H1)

**Notes:** City Position: support

### **HB 692 Cities and towns; payments for maintenance of certain highways.**

*Patron:* Carr

*Summary as introduced:*

**Payments to cities and towns for maintenance of certain highways.** Provides that maintenance payments made to eligible cities and towns shall be for total pavement width based on an 11-foot lane.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16101598D

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #3

**Notes:** City Position: support

### **HB 694 State funding; ratio of full-time equivalent instruction to students with limited English.**

*Patron:* Kory

*Summary as introduced:*

**State funding; ratio of full-time equivalent instructional positions to students identified as having limited English proficiency.** Requires state funding to be provided to each local school division to support one full-time equivalent instructional position for every 22 students identified as having limited English proficiency. Under current law, such ratio is 17 full-time equivalent instructional positions for every 1,000 students identified as having limited English proficiency.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16101708D

01/11/16 House: Referred to Committee on Education

01/15/16 House: Assigned to sub: Subcommittee Elementary and Secondary Education

02/01/16 House: Impact statement from DOE/COO (HB694)

02/03/16 House: Subcommittee recommends laying on the table

**Notes:** City Position: support

### **HB 717 Transportation projects; evaluation of in Northern Virginia.**

*Patron:* LeMunyon

*Summary as introduced:*

**Evaluation of significant transportation projects in Northern Virginia.** Directs the Department of Transportation to complete evaluations of certain significant transportation projects in the Northern Virginia Transportation District by December 31, 2016.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16100543D

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #2

01/20/16 House: Impact statement from DPB (HB717)

**Notes:** City Position: oppose

**HB 732 State and local transportation planning; review of proposed rezoning, impact on roads.**

*Patron:* LeMunyon

*Summary as introduced:*

**State and local transportation planning.** Provides that in Planning District 8 (Northern Virginia) the Department of Transportation's review of a proposed rezoning shall consider the transportation impact of the proposed rezoning on all interstate, primary, and secondary roads within a five-mile radius of the proposed rezoning.

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16102707D

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #2

**Notes:** City Position: oppose

**HB 752 Stalking; penalty.**

*Patrons:* Bell, Robert B., Miyares and Ransone

*Summary as introduced:*

**Stalking; penalty.** Provides that contacting or following or attempting to contact or follow the person at whom stalking conduct is directed after being given actual notice that the person does not want to be contacted or followed, is prima facie evidence that the person intended to place the other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member. This bill is a recommendation of the Virginia State Crime Commission.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16102756D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB752)

**Notes:** City Position: support

**HB 754 Domestic violence-related misdemeanors; enhanced penalty.**

*Patrons:* Bell, Robert B., Fowler and Miyares

*Summary as introduced:*

**Domestic violence-related misdemeanors; enhanced penalty.** Punishes a misdemeanor offense of violating a protective order, assault and battery against a family or household member, or stalking as a Class 6 felony if the person charged had been previously convicted of any of these offenses, however punished, or assault or bodily wounding within the preceding 20 years if the victim of the prior and the instant offenses was the same.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103904D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB754)

**Notes:** City Position: support

**HB 765 Assault and battery against a family or household member; first offense, enhanced penalties.**

*Patrons:* Gilbert, Fowler, Miyares and Murphy

*Summary as introduced:*

**First offense assault and battery against a family or household member; enhanced penalties.** Provides that the deferral and dismissal of a first offense of assault and battery against a family or household member will be treated as a prior conviction for the purpose of determining whether a person is eligible for the enhanced Class 6 felony penalties for stalking or assault and battery against a family or household member that apply based on a person's prior convictions.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103550D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB765)

**Notes:** City Position: support

**HB 773 Government Nondiscrimination Act; created.**

*Patrons:* Gilbert and Adams

*Summary as introduced:*

**Government Nondiscrimination Act; creation.** Creates the Government Nondiscrimination Act (the Act), which prohibits a government entity from taking any discriminatory action against a person on the basis that such person believes, speaks, or acts in accordance with a sincerely held religious belief that marriage is or should be recognized as the union of one man and one woman and that the terms "man" and "woman" refer to an individual's immutable biological sex as objectively determined by anatomy and genetics of the individual at the time of birth. For purposes of the Act, discriminatory actions include actions that adversely affect the tax treatment of a person or that withhold or otherwise make unavailable any (i) grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, or employment; (ii) entitlement or benefit under a benefit program; or (iii) entitlement to utilize state property. The Act also provides that a person shall be considered to be validly accredited, licensed, or certified for any purpose under state law if such person would otherwise have been accredited, licensed, or certified but for a determination based upon such person's sincerely held religious belief or moral conviction.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16102510D

01/12/16 House: Referred to Committee on General Laws

02/03/16 House: Assigned to sub: Subcommittee #4

**Notes:** City Position: oppose

**HB 783 Firearms; brandishing in presence of a law-enforcement officer, penalty.**

*Patron:* Adams

*Summary as introduced:*

**Brandishing a firearm; law-enforcement officer; penalty.** Provides for a six-month mandatory minimum sentence upon conviction of a person for pointing, holding, or brandishing a firearm or similar weapon in such manner as to reasonably induce fear in the mind of another if the offense is committed in the presence of someone who the person knows or has reason to know is a law-enforcement officer.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16100962D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB783)

01/19/16 House: Assigned to sub: Criminal Law

02/02/16 House: Impact statement from DPB (HB783)

**Notes:** City Position: support

**HB 787 Construction activities; acquisition of nutrient credits.**

*Patron:* Adams

*Summary as introduced:*

**Acquisition of nutrient credits for construction activities.** Allows persons applying for a stormwater permit to acquire nutrient credits for construction activities from credit providers located outside the tributary where the construction activity is occurring. Currently, the acquisition of such credits is generally limited to the same or adjacent eight-digit hydrologic code as defined by the U.S. Geological Survey.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16100968D

01/12/16 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/25/16 House: Assigned to sub: Chesapeake

02/02/16 House: Impact statement from DPB (HB787)

02/04/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

**Notes:** City Position: oppose

**HB 812 Limited Residential Lodging Act; established, penalty.**

*Patrons:* Peace, Farrell, Fowler, Helsel, Hodges, Hope, Keam, LeMunyon and Lopez

*Summary as introduced:*

**Limited Residential Lodging Act; penalty.** Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act.

02/03/16 House: Read second time

02/03/16 House: Engrossed by House - committee substitute with amendments HB812EH1

02/03/16 House: Printed as engrossed 16104604D-EH1

02/04/16 House: Read third time and passed House (75-Y 22-N)

02/04/16 House: VOTE: PASSAGE (75-Y 22-N)

**Notes:** City Position: oppose

**HB 834 Virginia Growth and Opportunity Board and Fund; established, report.**

*Patrons:* Cox, Torian, Aird, Bagby, Carr, Collins, Filler-Corn, Greason, Heretick, Hester, Hope, Howell, Hugo, James, Jones, Kilgore, Knight, Landes, Marshall, D.W., Mason, Massie, McClellan, McQuinn, Miller, Minchew, Murphy, O'Bannon, O'Quinn, Peace, Plum, Pogge, Poindexter, Rush, Sickles, Simon, Spruill, Sullivan, Toscano, Tyler and Ward; Senator: Sturtevant

*Summary as introduced:*

**Virginia Growth and Opportunity Act; report.** Establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils

will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis.

02/02/16 House: Impact statement from DPB (HB834)

02/03/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

02/03/16 House: Reported from Appropriations with substitute (20-Y 0-N)

02/03/16 House: Committee substitute printed 16105060D-H1

02/05/16 House: Read first time

**Notes:** City Position: support

### **HB 846 Virginia Collaborative Economic Development Act; created.**

*Patrons:* Hugo, James, Minchew, Carr, Cox, Greason, Hester, Jones, Kilgore, Knight, Landes, McClellan, O'Bannon, O'Quinn, Peace, Poindexter, Sickles, Spruill, Torian and Toscano;

*Senator:* Sturtevant

*Summary as introduced:*

**Virginia Collaborative Economic Development Act.** Creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least \$25 million. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. Of each annual installment of the grant, 85 percent will be distributed to the participating localities in accordance with the terms of the collaborative economic development plan, and 15 percent will be retained by the Virginia Economic Development Partnership to be used to enhance regional and statewide economic development marketing and promotion.

01/29/16 House: Impact statement from DPB (HB846)

02/03/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

02/03/16 House: Reported from Appropriations with substitute (20-Y 0-N)

02/03/16 House: Committee substitute printed 16105102D-H1

02/05/16 House: Read first time

**Notes:** City Position: support

### **HB 852 Refugees, certain; assisting federal government with resettling.**

*Patron:* Hugo

*Summary as introduced:*

**Assisting federal government with resettling of certain refugees.** Provides that no agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or

any employee or officer thereof, with the resettlement in the Commonwealth of any refugee from any country that has been designated a state sponsor of terrorism by the U.S. State Department or (ii) any such refugee who has been resettled in the Commonwealth on or after January 1, 2016. The bill contains an emergency clause and has an expiration date of July 1, 2018.

**EMERGENCY**

01/12/16 House: Prefiled and ordered printed with emergency clause; offered 01/13/16 16100989D

01/12/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

01/28/16 House: Impact statement from VDH (HB852)

**Notes:** City Position: oppose

**HB 886 Stalking; second offense, penalty.**

*Patrons:* Albo, Fowler, Miyares and Ransone

*Summary as introduced:*

**Stalking; penalty.** Provides that a second offense of stalking committed within five years of a prior stalking conviction is punishable as a Class 6 felony. Under current law, a second offense of stalking only qualifies for the Class 6 penalty if the person convicted had also been convicted of certain offenses involving assaults or bodily woundings or of violating a protective order.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103549D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB886)

**Notes:** City Position: support

**HB 887 Virginia Public Procurement Act; requirements for use of construction management.**

*Patrons:* Albo, Fowler and Peace

*Summary as introduced:*

**Virginia Public Procurement Act; requirements for use of construction management.**

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing. The findings for state public bodies shall be made by the Director under existing regulations and guidelines established by the

Department of General Services. In addition, the bill defines "public body" for the purposes of the use of construction management for construction to include (i) public institutions of higher education that have executed a valid management agreement under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and (ii) localities and school divisions that were previously exempt based on the adoption of alternative policies and procedures based on competitive principles and generally applicable to procurement of goods and services by the locality or school division.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103921D

01/12/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

02/04/16 House: Impact statement from DPB (HB887)

02/04/16 House: Subcommittee recommends continuing to 2017

**Notes:** City Position: oppose

### **HB 888 Virginia Public Procurement Act; requirements for certain construction projects.**

*Patron:* Albo

*Summary as introduced:*

**Public procurement; requirements for certain construction projects; use of construction management.** Restricts the use of construction management procurements by public bodies to contracts of \$50 million or more, provided that such contracts involve projects that, among other requirements, are (i) of substantial historical value or interest or (ii) significantly unique or extremely complex in nature. State public bodies may request a waiver from the restriction on a project-by-project basis from the Director of the Department of General Services. In the case of procurement by localities, a waiver may be granted by the local governing body. The bill defines "public body" for the purposes of the use of construction management for construction to include public institutions of higher education under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and any public body that has implemented the provisions of the Virginia Public Procurement Act pursuant to § 2.2-4302.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16101653D

01/12/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

02/04/16 House: Impact statement from DPB (HB888)

02/04/16 House: Subcommittee recommends striking from docket

**Notes:** City Position: oppose

### **HB 896 Private school employees, certain; requirement of national fingerprint-based background checks.**

*Patron:* Greason

*Summary as introduced:*

**Background checks; certain private school employees.** Provides that private school employees who are employed by licensed child day centers, child day centers exempt from licensure, or unlicensed child day centers that enter into contracts with the Department of Social Services or local departments of social services for the provision of child care services to clients of the Department or local departments who have complied with background check requirements set forth in § 22.1-296.3 of the Code of Virginia requiring national fingerprint-based background checks shall not be required to undergo additional background checks.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103837D

01/12/16 House: Referred to Committee on Health, Welfare and Institutions

01/20/16 House: Assigned to sub: Subcommittee #3

02/02/16 House: Impact statement from DPB (HB896)

**Notes:** City Position: support if amended with a timeframe for background check

**HB 901 Northern Virginia Transportation Authority; use of certain revenues.**

*Patron:* Marshall, R.G.

*Summary as introduced:*

**Use of certain revenues by the Northern Virginia Transportation Authority.** Requires that 50% of the funds the Northern Virginia Transportation Authority has remaining after distribution to localities be used for bus rapid transit on Interstate 66 or expansion of Virginia Railway Express that benefit the Interstate 66 corridor from Haymarket to Interstate 495, or Interstate 66 construction outside the Capital Beltway until July 1, 2031.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16100729D

01/12/16 House: Referred to Committee on Transportation

01/21/16 House: Assigned to sub: Subcommittee #3

**Notes:** City Position: oppose

**HB 908 Electrical transmission lines; SCC to consider impact on historic resources.**

*Patrons:* Minchew, Bell, John J., Boysko, Carr, Mason, Murphy, Peace, Sullivan and Webert

*Summary as introduced:*

**Electrical transmission lines; effect on historic resources.** Requires the State Corporation Commission (SCC), prior to approving the construction of any electrical transmission lines of 138 kV or more, to determine that the corridor or route chosen for the line will avoid any adverse impact on the scenic assets, historic resources, and environment of the area concerned. If the SCC determines that no route or corridor exists that can avoid any such adverse impact, the SCC is directed to choose the corridor or route that minimizes such adverse impacts to the greatest extent reasonably practicable. Currently, the SCC is required to determine that such a line's corridor or route will reasonably minimize adverse impact on the scenic assets, historic districts, and environment of the area concerned.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16102632D

01/12/16 House: Referred to Committee on Commerce and Labor

01/19/16 House: Assigned to sub: Special Subcommittee on Energy

01/19/16 House: Impact statement from SCC (HB908)

**Notes:** City Position: support

**HB 941 Clean energy programs; expands scope by including certain residential properties.**

*Patrons:* Toscano and Plum

*Summary as introduced:*

**Financing of clean energy programs.** Expands the scope of clean energy programs by including certain residential properties that are currently excluded from the voluntary special lien assessment provisions.

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16102233D

01/12/16 House: Referred to Committee on Counties, Cities and Towns

01/19/16 House: Impact statement from DHCD (HB941)

01/29/16 House: Assigned to sub: Subcommittee #2

**Notes:** City Position: support

**HB 944 Statewide Fire Prevention Code; installation or use of landscape cover materials.**

*Patron:* Wilt

*Summary as introduced:*

**Statewide Fire Prevention Code; installation or use of landscape cover materials.** Provides that local government regulation of the installation or use of landscape cover materials shall be deemed to affect the manner of construction or materials to be used in the erection, alteration, repair, or use of a building or structure and shall not be permitted. The bill contains technical amendments.

01/12/16 House: Referred to Committee on General Laws

01/20/16 House: Assigned to sub: Subcommittee #1

01/26/16 House: Impact statement from DHCD (HB944)

02/02/16 House: Subcommittee recommends reporting with amendment(s) (6-Y 1-N)

02/04/16 House: Reported from General Laws with substitute (19-Y 1-N)

**Notes:** City Position: oppose

**HB 1005 VA Human Rights Act; public employment, public accommodation, & housing, prohibited discrimination.**

*Patrons:* Levine, Boysko, Lindsey, Lopez, Sickles and Sullivan

*Summary as introduced:*

**Virginia Human Rights Act; public employment, public accommodation, and housing; prohibited discrimination; sexual orientation.** Prohibits discrimination in employment and public accommodation on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill also adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill contains technical amendments.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16103839D

01/13/16 House: Referred to Committee on General Laws

01/25/16 House: Impact statement from DPB (HB1005)

02/03/16 House: Assigned to sub: Subcommittee #4

02/04/16 House: Subcommittee recommends laying on the table

**Notes:** City Position: support

**HB 1032 Vehicle registration; locality may impose penalty on owner annually as long as vehicle unregistered.**

*Patron:* Sickles

*Summary as introduced:*

**Vehicle registration.** Clarifies that a locality may impose a penalty of up to \$250 upon the resident owner annually for as long as the motor vehicle remains unregistered in Virginia.

02/01/16 House: Read second time and engrossed

02/02/16 House: Read third time and passed House (89-Y 8-N)

02/02/16 House: VOTE: PASSAGE (89-Y 8-N)

02/03/16 Senate: Constitutional reading dispensed

02/03/16 Senate: Referred to Committee on Transportation

**Notes:** City Position: support

**HB 1072 Virginia Retirement System; modifies hybrid retirement program.**

*Patrons:* Jones and Hester

*Summary as introduced:*

**Virginia Retirement System; hybrid retirement program.** Modifies the hybrid retirement program by (i) increasing the mandatory employer contribution to the defined contribution component from 1% to 2% of creditable compensation, (ii) decreasing the employer's maximum matching contribution to the defined contribution component from 2.5% to 1.5% of creditable compensation, (iii) increasing the employee's mandatory contribution to the defined contribution component from 1% to 2% of creditable compensation, (iv) decreasing the employee's maximum contribution to the voluntary defined contribution component from 4% to 3% of creditable compensation, (v) decreasing from three years to two years the period in which a new member of the hybrid retirement program is required to make the maximum voluntary contribution to the defined contribution component, and (vi) decreasing the employee's contribution to the defined benefit component from 4% to 3% of creditable compensation. The bill also sets a new employee's voluntary contribution rate to the defined contribution component at 0.5% unless the employee opts out.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16102742D

01/13/16 House: Referred to Committee on Appropriations

01/19/16 House: Assigned to sub: Compensation and Retirement

01/25/16 House: Impact statement from VRS (HB1072)

**Notes:** City Position: oppose

**HB 1085 Stormwater Local Assistance Fund; established.**

*Patron:* Bulova

*Summary as introduced:*

**Stormwater Local Assistance Fund.** Establishes the Stormwater Local Assistance Fund to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16102371D

01/13/16 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/21/16 House: Impact statement from DPB (HB1085)

01/25/16 House: Assigned to sub: Chesapeake  
02/04/16 House: Subcommittee recommends laying on the table  
**Notes:** City Position: support

**HB 1087 Protective order; violation of order possession of a firearm or other deadly weapon, penalty.**

*Patrons:* Gilbert, Fowler, Miyares and Murphy

*Summary as introduced:*

**Violation of protective order; possession of a firearm or other deadly weapon; penalty.**

Provides that any person who possesses a firearm or other deadly weapon while violating any provision of certain protective orders is guilty of a Class 6 felony.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16104094D

01/13/16 House: Referred to Committee for Courts of Justice

01/15/16 House: Impact statement from VCSC (HB1087)

**Notes:** City Position: support

**HB 1104 Firefighters employed by localities; entitlement to continued compensation.**

*Patron:* Murphy

*Summary as introduced:*

**Firefighters employed by localities; entitlement to continued compensation during period of quarantine or isolation.** Provides that a firefighter who is the subject of an order of quarantine or an order of isolation as a result of potential exposure that occurred in the line of duty is entitled to the continued payment of compensation from his local employer during the period of such quarantine or isolation.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16103930D

01/13/16 House: Referred to Committee on Counties, Cities and Towns

01/21/16 House: Assigned to sub: Subcommittee #2

01/28/16 House: Impact statement from DHCD (HB1104)

**Notes:** City Position: support

**HB 1143 Body-worn cameras; required policies.**

*Patron:* Lindsey

*Summary as introduced:*

**Law-enforcement agencies; body-worn cameras; required policies.** Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to review any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 30 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias.

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16104109D

01/13/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned to sub: Criminal Law

01/29/16 House: Impact statement from DPB (HB1143)

**Notes:** City Position: Oppose as written

**HB 1158 Physical evidence; procedure for collection, etc., of recovery kits.**

*Patrons:* Watts, Filler-Corn and McClellan

*Summary as introduced:*

**Physical evidence recovery kits.** Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights.

01/13/16 House: Presented and ordered printed 16102185D

01/13/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned to sub: Criminal Law

01/27/16 House: Impact statement from DPB (HB1158)

**Notes:** City Position: support

**HB 1160 Physical evidence recovery kits.**

*Patron:* Bell, Robert B.

*Summary as introduced:*

**Physical evidence recovery kits.** Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights.

01/14/16 House: Presented and ordered printed 16104138D

01/14/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned to sub: Criminal Law

01/28/16 House: Impact statement from DPB (HB1160)

**Notes:** City Position: support

**HB 1164 Local stormwater utility; waiver of charges for church or religious body.**

*Patron:* Morris

*Summary as introduced:*

**Local stormwater utility; waiver of charges; religious body.** Requires any locality establishing a stormwater management utility to waive charges for real estate exclusively occupied or used by a church or religious body for religious worship or for the residence of its minister.

01/14/16 House: Presented and ordered printed 16103512D

01/14/16 House: Referred to Committee on Counties, Cities and Towns

01/21/16 House: Impact statement from DPB (HB1164)

01/21/16 House: Assigned to sub: Subcommittee #2

**Notes:** City Position: oppose

**HB 1173 Careless driving; cause of injury to vulnerable road user, penalty.**

*Patrons:* Sullivan and Kory

*Summary as introduced:*

**Careless driving; cause of injury to vulnerable road user.** Provides that a person is guilty of a Class 1 misdemeanor and shall have his license suspended who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle.

01/14/16 House: Presented and ordered printed 16103699D

01/14/16 House: Referred to Committee on Transportation

01/21/16 House: Assigned to sub: Subcommittee #1

02/02/16 House: Impact statement from DPB (HB1173)

**Notes:** City Position: support

**HB 1197 Law-enforcement officers; Internet publication of personal information, penalty.**

*Patron:* Stolle

*Summary as introduced:*

**Internet publication of personal information of law-enforcement officers; penalty.** Prohibits the Commonwealth from publishing on a publically accessible website the personal information of any law-enforcement officer without first obtaining written permission from such law-enforcement officer. The bill provides that it is a Class 1 misdemeanor for any person to publish, sell, solicit, or trade on the Internet the personal information of any law-enforcement officer or his immediate family member knowing that he is a law-enforcement officer and with the intent to cause imminent bodily harm or the threat of imminent bodily harm to such individual. The bill contains a technical amendment.

01/15/16 House: Presented and ordered printed 16103488D

01/15/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned to sub: Criminal Law

**Notes:** City Position: support

**HB 1200 Assault and battery; certain students.**

*Patrons:* Collins, LaRock, Aird and McClellan

*Summary as introduced:*

**Assault and battery; certain students.** Provides that a student who is the subject of an individualized education program required by the federal Individuals with Disabilities Education Act cannot be found guilty of assault or assault and battery against law-enforcement officers, firefighters, emergency medical personnel, or certain corrections officials or of battery against a school employee if the crime occurred on school property or a school bus or at a school-sponsored event.

01/15/16 House: Presented and ordered printed 16103161D

01/15/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned to sub: Criminal Law

**Notes:** City Position: oppose

**HB 1217 Law enforcement, local and State Police; enforcement of executive actions or orders.**

*Patron:* Taylor

*Summary as introduced:*

**Local law enforcement and State Police; enforcement of executive actions or orders.**

Prohibits local law enforcement or the Department of State Police from cooperating with a federal agency through the furnishing of police services for the purpose of enforcing an executive action or order related to firearms, ammunition, or components or combination thereof that has not been made law by an act of Congress.

01/18/16 House: Presented and ordered printed 16103626D

01/18/16 House: Referred to Committee on Appropriations

**Notes:** City Position: oppose

**HB 1234 School security officers; carrying a firearm.**

*Patron:* Lingamfelter

*Summary as introduced:*

**School security officers; carrying a firearm.** Authorizes a school security officer to carry a firearm in the performance of his duties if he is a retired law-enforcement officer and the local school board grants him the authority to carry a firearm in the performance of his duties.

01/19/16 House: Presented and ordered printed 16104073D

01/19/16 House: Referred to Committee on Education

02/03/16 House: Assigned to sub: Elementary and Secondary Education

**Notes:** City Position: oppose

**HB 1250 Virginia Erosion and Stormwater Management Act; consolidation of programs, opt-out for locations.**

*Patron:* Wilt

*Summary as introduced:*

**Virginia Erosion and Stormwater Management Act; consolidation of programs; opt-out for certain localities; penalties.** Combines existing statutory programs relating to soil erosion and stormwater management, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff.

The bill requires any locality that operates a municipal separate storm sewer system (MS4) or a Virginia Stormwater Management Program (VSMP) to adopt a Virginia Erosion and Stormwater Management Program (VESMP) that regulates any land-disturbing activity that disturbs an area of 10,000 square feet or more, or 2,500 square feet or more if in a Chesapeake Bay Preservation Area. A locality that lacks an MS4 and for which the Department of Environmental Quality (DEQ) is currently administering a VSMP is required to (i) adopt such a VESMP, (ii) adopt such a VESMP with DEQ conducting plan review and making recommendations on the compliance of each plan with technical criteria, or (iii) continue to operate a separate Virginia Erosion and Sediment Control Program (VЕСP) that regulates any disturbance of 10,000 square feet or more and, in a Preservation Area, regulates a disturbance of 2,500 square feet or more and meets certain other requirements. Any eligible locality that chooses the third option is to have a VSMP administered on its behalf by the Board for any land-disturbing activity that disturbs one acre or more of land, including an activity that disturbs a smaller area but is part of a larger development that results in a disturbance of one acre or more. Towns are afforded additional options in relation to the counties in which they are located.

The bill directs certain charges or penalties to the Stormwater Local Assistance Fund, which provides matching grants to local governments for stormwater best management practices. Finally, the bill directs DEQ to evaluate fees related to the consolidated Virginia Erosion and Stormwater Management Program and directs the Board to adopt regulations to carry out the purposes of the bill, delaying the effective date of the bill until the later of July 1, 2017, or 30 days after the adoption of such regulations.

01/19/16 House: Presented and ordered printed 16103814D

01/19/16 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Notes:** City Position: support

### **HB 1286 Distributed and renewable generation of electric energy; net energy metering.**

*Patrons:* Minchew and Sullivan

*Summary as introduced:*

**Distributed and renewable generation of electric energy; net energy metering and third party purchase agreements.** Exempts generators that are not organized as a public service company and that provide electric energy from renewable energy to retail customers under certain power purchase agreements from being defined as a public utility or a supplier. The measure authorizes retail customers to purchase electric energy from such generators provided that the renewable energy electricity generation source is located on property owned, leased, or otherwise controlled by the retail customer or any affiliated person. The net energy metering programs are amended to remove the one percent cap relative to total utility sales for net metered facilities. The State Corporation Commission is directed to establish separate net energy metering programs for eligible multi-meter customer-generators, who are customers that own or operate, or contracts with another person to own or operate, or both, a renewable energy generating facility that uses as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas, does not have an aggregate generation capacity of more than one megawatt, and is used primarily to provide energy to metered accounts of the customer. The measure amends the Commonwealth's energy policy by adding the goals of encouraging private sector distributed renewable energy, increasing security of the electricity grid by supporting distributed renewable energy projects, and augmenting the exercise of private property rights by landowners desiring to generate their own energy from renewable energy sources on their lands.

01/20/16 House: Presented and ordered printed 16103518D  
01/20/16 House: Referred to Committee on Commerce and Labor  
01/26/16 House: Assigned to sub: Special Subcommittee on Energy  
01/27/16 House: Impact statement from SCC (HB1286)  
**Notes:** City Position: support

**HB 1327 Local law-enforcement agencies; body-worn cameras.**

*Patron:* Davis

*Summary as introduced:*

**Local law-enforcement agencies; body-worn cameras.** Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.

01/21/16 House: Presented and ordered printed 16104389D  
01/21/16 House: Referred to Committee for Courts of Justice  
01/26/16 House: Assigned to sub: Criminal Law  
01/29/16 House: Impact statement from DPB (HB1327)  
**Notes:** City Position: oppose as written

**HB 1347 Wireless communications; infrastructure established.**

*Patron:* Heretick

*Summary as introduced:*

**Wireless communications infrastructure.** Prohibits a locality from charging an application fee, consulting fee, or other fee associated with the submission, review, processing and approval of an application to construct a new wireless support structure, for the substantial modification of a wireless support structure, or for collocation of a wireless facility or replacement of a wireless facility on an existing structure or utility pole that is not required for similar types of commercial development within the locality's jurisdiction. The measure permits a locality to charge fees for the costs directly incurred by it relating to the granting or processing of an application. Such fees are capped at the lesser of the amount charged by the locality for a building permit for any other type of commercial development or land use development, or \$500 for a collocation application, small cell facility or distributed antenna system or \$1,000 for a new wireless support structure or for a substantial modification of a wireless support structure. Localities are prohibited from (i) requiring an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed service, customer demand for service, or quality of its service to or from a particular area or site, or information that concerns the specific need for the wireless support structure; (ii) evaluating an application based on the availability of other potential

locations for the placement of wireless support structures or wireless facilities; (iii) dictating the type of wireless facilities, infrastructure or technology to be used by the applicant; and (iv) requiring the removal of existing wireless support structures or wireless facilities, as a condition for approval of an application. The measure grants to any domestic or foreign telecommunications provider or broadband provider to construct, maintain, and operate conduit, poles, cable, switches and related appurtenances and facilities along, across, upon and under any public highway or rights-of-way in the Commonwealth. Localities are barred from (a) imposing certain environmental testing, sampling, or monitoring requirements or (b) instituting any moratorium on the permitting, construction or issuance of approvals of new wireless support structures, substantial modifications of wireless support structures, or collocations.

01/21/16 House: Presented and ordered printed 16104657D

01/21/16 House: Referred to Committee on Commerce and Labor

01/29/16 House: Impact statement from DHCD (HB1347)

**Notes:** City Position: oppose

**HB 1359 Transit Capital Project Revenue Advisory Board; established, report, sunset provision.**

*Patron:* Peace

*Summary as introduced:*

**Transit Capital Project Revenue Advisory Committee.** Establishes the Transit Capital Project Revenue Advisory Board (the Board) within the Department of Rail and Public Transit to examine the effects of the loss of state transit capital funds and identify additional sources of revenue. The Advisory Board shall expire on July 1, 2019.

01/22/16 House: Presented and ordered printed 16103888D

01/22/16 House: Referred to Committee on Transportation

01/29/16 House: Assigned to sub: Subcommittee #4

02/01/16 House: Impact statement from DPB (HB1359)

02/03/16 House: Subcommittee recommends reporting (7-Y 0-N)

**Notes:** City Position: support

**HB 1371 Local government; prohibition on certain mandates upon employers.**

*Patron:* Miller

*Summary as introduced:*

**Prohibition on certain local government mandates upon employers.** Provides that a locality shall not enact any policy that requires an employer within the locality to provide an employee with a wage or employment benefit that exceeds the requirements of state or federal law. Any such local policy shall be unenforceable.

01/22/16 House: Referred to Committee on Counties, Cities and Towns

01/26/16 House: Impact statement from DHCD (HB1371)

01/29/16 House: Assigned to sub: Subcommittee #1

02/03/16 House: Subcommittee recommends reporting (6-Y 4-N)

02/05/16 House: Reported from Counties, Cities and Towns (15-Y 7-N)

**Notes:** City Position: oppose

**HB 1373 Virginia Public Procurement Act; design-build contracts, purchase of intellectual property.**

*Patron:* Davis

*Summary as introduced:*

**Virginia Public Procurement Act; design-build contracts; purchase of intellectual property of proposers by local public bodies.** Allows local public bodies to purchase the intellectual property or other work product of a proposer, provided that i) the local public body makes a determination in advance and set forth in writing that it will be advantageous to purchase the intellectual property of an unsuccessful proposer, (ii) prequalification is limited to five contractors, and (iii) the Request for Proposal includes a notice that the local public body may acquire the intellectual property rights of an unsuccessful proposer.

01/22/16 House: Presented and ordered printed 16104618D

01/22/16 House: Referred to Committee on General Laws

02/01/16 House: Assigned to sub: Subcommittee #2

02/05/16 House: Impact statement from DHCD (HB1373)

**Notes:** City Position: support

**SB 136 Electrical transmission line siting; SCC to hold hearing when requested by locality.**

*Patrons:* Favola; Delegate: Kory

*Summary as introduced:*

**Electrical transmission line siting; hearing requested by locality.** Requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any county or municipality through which the line is proposed to be built. Currently the SCC is required to conduct a hearing in the affected area if requested by 20 or more interested parties. The measure also provides that the affected localities are given the same protections whenever a significantly different route is deemed desirable by the SCC.

12/29/15 Senate: Prefiled and ordered printed; offered 01/13/16 16101617D

12/29/15 Senate: Referred to Committee on Commerce and Labor

01/10/16 Senate: Impact statement from SCC (SB136)

**Notes:** City Position: support

**SB 150 Virginia Public Procurement Act; procurement of information technology goods & service.**

*Patron:* Reeves

*Summary as introduced:*

**Virginia Public Procurement Act; procurement of information technology goods and services; contractor liability.** Prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science.

02/01/16 Senate: Reported from General Laws and Technology (15-Y 0-N)

02/02/16 Senate: Impact statement from DPB (SB150)

02/03/16 Senate: Constitutional reading dispensed (40-Y 0-N)

02/04/16 Senate: Read second time and engrossed

02/05/16 Senate: Read third time and passed Senate (39-Y 0-N)

**Notes:** City Position: oppose

**SB 169 Virginia Public Procurement Act; Request for Proposals for architectural or engineering services.**

*Patron:* Ruff

*Summary as introduced:*

**Virginia Public Procurement Act; Request for Proposals for architectural or engineering services.** Provides that in the case of the selection process for a Request for Proposals for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked.

02/04/16 Senate: Read second time

02/04/16 Senate: Reading of substitute waived

02/04/16 Senate: Committee substitute agreed to 16104901D-S1

02/04/16 Senate: Engrossed by Senate - committee substitute SB169S1

02/05/16 Senate: Read third time and passed Senate (39-Y 0-N)

**Notes:** City Position: oppose

**SB 233 Recognition of EMS Personnel Licensure Interstate Compact.**

*Patrons:* Reeves, DeSteph, Dunnavant and Marsden; *Delegates:* Cole and Orrock

*Summary as introduced:*

**Recognition of EMS Personnel Licensure Interstate Compact.** Creates the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact to (i) protect the public through verification of competency and ensure accountability for patient-care-related activities of licensed emergency medical services (EMS) personnel, (ii) facilitate the day-to-day movement of EMS personnel across state boundaries in the performance of their EMS duties as assigned by an appropriate authority, and (iii) authorize state EMS offices to afford immediate legal recognition to EMS personnel licensed in a member state. The bill includes an enactment clause authorizing the State Emergency Medical Services Advisory Board to review decisions of the Interstate Commission for EMS Personnel Practice and, upon approval by the Interstate Commission of any action that will have the result of increasing the cost to the Commonwealth of membership in the compact, recommend to the General Assembly that the Commonwealth withdraw from the compact. The bill also provides that the compact shall expire on July 1, 2021, if it has not become effective as a result of enactment into law by at least 10 member states.

02/01/16 Senate: Read second time and engrossed

02/02/16 Senate: Read third time and passed Senate (39-Y 0-N)

02/05/16 House: Placed on Calendar

02/05/16 House: Read first time

02/05/16 House: Referred to Committee on Health, Welfare and Institutions

**Notes:** City Position: support

**SB 278 Child welfare agencies; background checks for volunteers and employees.**

*Patron:* Wexton

*Summary as introduced:*

**Child welfare agencies; background checks.** Requires that background checks for employees and volunteers of child welfare agencies include, among other existing requirements, a sworn statement or affirmation disclosing whether the person is currently the subject of a complaint of child abuse or neglect. The bill also prohibits child welfare agencies from continuing to employ or allowing to serve as a volunteer persons convicted of certain offenses.

02/02/16 Senate: Read second time and engrossed

02/03/16 Senate: Read third time and passed Senate (40-Y 0-N)

02/05/16 House: Placed on Calendar

02/05/16 House: Read first time

02/05/16 House: Referred to Committee on Health, Welfare and Institutions

**Notes:** City Position: support

**SB 311 Virginia Public Procurement Act; use of best value contracting, construction & professional service.**

*Patrons:* McEachin, Favola, Locke, Miller and Saslaw; *Delegates:* Bagby, Carr, Cole, Heretick, Herring, Kory, Lindsey, McQuinn, Simon and Watts

*Summary as introduced:*

**Virginia Public Procurement Act; use of best value contracting; construction and professional services.** Authorizes any public body to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe (i) the criteria that will be considered in evaluating the proposals and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor.

01/08/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101985D

01/08/16 Senate: Referred to Committee on General Laws and Technology

**Notes:** City Position: support

**SB 339 Stalking; penalty.**

*Patron:* Reeves

*Summary as introduced:*

**Stalking; penalty.** Provides that contacting or following or attempting to contact or follow the person at whom stalking conduct is directed after being given actual notice that the person does not want to be contacted or followed, is prima facie evidence that the person intended to place the other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member. This bill is a recommendation of the Virginia State Crime Commission.

01/11/16 Senate: Prefiled and ordered printed; offered 01/13/16 16102759D

01/11/16 Senate: Referred to Committee for Courts of Justice

01/13/16 Senate: Impact statement from VCSC (SB339)

01/18/16 Senate: Reported from Courts of Justice with amendments (14-Y 0-N 1-A)

01/18/16 Senate: Rereferred to Finance

**Notes:** City Position: support

**SB 362 Virginia Public Procurement Act; small purchase procedures; transportation-related construction.**

*Patron:* Chafin

*Summary as introduced:*

**Virginia Public Procurement Act; small purchase procedures; transportation-related construction.** Provides that a public body may establish purchase procedures not requiring competitive sealed bids or competitive negotiation for single or term contracts for transportation-related construction if the aggregate or sum of all phases is not expected to exceed \$25,000.

01/11/16 Senate: Prefiled and ordered printed; offered 01/13/16 16102691D

01/11/16 Senate: Referred to Committee on General Laws and Technology

**Notes:** City Position: oppose

**SB 416 Limited Residential Lodging Act; established, records available only in response to written request.**

*Patrons:* Vogel and Ebbin; Delegate: Peace

*Summary as introduced:*

**Limited Residential Lodging Act; penalty.** Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act.

01/18/16 Senate: Rereferred to General Laws and Technology

01/25/16 Senate: Reported from General Laws and Technology with substitute (12-Y 2-N)

01/25/16 Senate: Committee substitute printed 16104701D-S1

01/25/16 Senate: Rereferred to Finance

01/26/16 Senate: Impact statement from TAX (SB416)

**Notes:** City Position: oppose unless language is amended

**SB 417 Social Services, Department of; unauthorized practice of law.**

*Patron:* Vogel

*Summary as introduced:*

**Department of Social Services; unauthorized practice of law.** Allows designated nonattorney employees of a local department of social services to (i) initiate a case on behalf of the local department by appearing before an intake officer and (ii) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate nonattorney employees who are authorized to perform such tasks.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101307D

01/12/16 Senate: Referred to Committee on Rehabilitation and Social Services

01/14/16 Senate: Impact statement from DPB (SB417)

02/05/16 Senate: Reported from Rehabilitation and Social Services (8-Y 6-N 1-A)

**Notes:** City Position: support

**SB 418 Virginia Public Procurement Act; installation of artificial turf or other athletic surfaces.**

*Patron:* Vogel

*Summary as introduced:*

**Virginia Public Procurement Act; cooperative procurement; installation of artificial turf or other athletic surfaces.** Excludes the purchase of installation of artificial turf or other athletic surfaces and all associated and necessary construction from the prohibition on using cooperative procurement to purchase construction.

02/01/16 Senate: Impact statement from DPB (SB418)

02/01/16 Senate: Reported from General Laws and Technology (13-Y 2-N)

02/03/16 Senate: Constitutional reading dispensed (40-Y 0-N)

02/04/16 Senate: Read second time and engrossed

02/05/16 Senate: Read third time and passed Senate (34-Y 5-N)

**Notes:** City Position: support

**SB 436 Fostering Futures program; established.**

*Patrons:* Favola and McPike; *Delegate:* Kory

*Summary as introduced:*

**Fostering Futures program.** Establishes the Foster Futures program to provide services and support to individuals between the ages of 18 and 21 who were formerly in foster care as a minor and are transitioning to full adulthood and self-sufficiency.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101846D

01/12/16 Senate: Referred to Committee on Rehabilitation and Social Services

01/28/16 Senate: Impact statement from DPB (SB436)

01/29/16 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N)

01/29/16 Senate: Rereferred to Finance

**Notes:** City Position: support

**SB 457 Asset forfeiture; changes burden of proof.**

*Patrons:* Carrico and Marsden

*Summary as introduced:*

**Asset forfeiture; burden of proof.** Changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16102622D

01/12/16 Senate: Referred to Committee for Courts of Justice

02/01/16 Senate: Reported from Courts of Justice (14-Y 0-N 1-A)

02/01/16 Senate: Rereferred to Finance

**Notes:** City Position: oppose

**SB 465 Request for Proposal of design-build projects.**

*Patron:* Carrico

*Summary as introduced:*

**Request for Proposal of design-build projects.** Allows for the submission and consideration of alternative technical concepts, defined in the bill, during the Request for Proposal process of a design-build transportation project.

02/01/16 Senate: Printed as engrossed 16103482D-E  
02/02/16 Senate: Read third time and passed Senate (39-Y 0-N)  
02/05/16 House: Placed on Calendar  
02/05/16 House: Read first time  
02/05/16 House: Referred to Committee on Transportation

**Notes:** City Position: support

**SB 468 Local stormwater utility; waiver of charges to real property, retention of water on site.**

*Patron:* Wagner

*Summary as introduced:*

**Local stormwater utility; waiver of charges; retention of water on site.** Provides that a locality establishing a stormwater utility or service charge system shall waive charges to any real property that retains its stormwater on site and thereby permanently produces no stormwater flow or pollutant loading.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101308D

01/12/16 Senate: Referred to Committee on Local Government

01/21/16 Senate: Impact statement from DPB (SB468)

02/02/16 Senate: Impact statement from DHCD (SB468)

**Notes:** City Position: oppose

**SB 469 Local stormwater utility; payment to best management practice (BMP) operator accepting runoff.**

*Patron:* Wagner

*Summary as introduced:*

**Local stormwater utility; payment to BMP operator accepting runoff.** Requires any locality that operates a local stormwater management program to pay the private operator of a nutrient-reducing best management practice (BMP) if it requires such operator to accept stormwater runoff from an upstream property. The BMP operator is to be paid 50 percent of the stormwater utility charge assessed to the upstream owner.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101309D

01/12/16 Senate: Referred to Committee on Local Government

01/21/16 Senate: Impact statement from DPB (SB469)

02/02/16 Senate: Impact statement from DHCD (SB469)

**Notes:** City Position: oppose

**SB 484 Stormwater management regulations; water quality and quantity design criteria.**

*Patron:* DeSteph

*Summary as introduced:*

**Stormwater management regulations; water quality and quantity design criteria; unenforceable unless amended.** Prohibits the enforcement of any design criterion concerning water quality or quantity contained in Part II B of the stormwater management regulations until the State Water Control Board amends the design criteria to bring them up to date, correct the errors they contain, and coordinate them with the rest of the stormwater management regulations. Until the regulations are reissued, the design criteria contained in Part II C shall apply instead.

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16102418D

01/12/16 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

01/21/16 Senate: Impact statement from DPB (SB484)

02/04/16 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources with letter (11-Y 4-N)

**Notes:** City Position: oppose

**SB 558 Dredging; TMDL credits, request for assignment of credits equivalent to street sweeping.**

*Patron:* DeSteph

*Summary as introduced:*

**Dredging; TMDL credits; request for assignment of credits equivalent to street sweeping.**

Requests the Chesapeake Bay Program, a regional partnership directing the restoration of the Chesapeake Bay, to approve a certain type of dredging as a creditable practice for pollutant removal and to assign to it a number of total maximum daily load (TMDL) credits equivalent to those assigned to the removal of pollutants by street sweeping.

01/13/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101473D

01/13/16 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

01/28/16 Senate: Impact statement from DPB (SB558)

02/04/16 Senate: Continued to 2017 in Agriculture, Conservation and Natural Resources (15-Y 0-N)

**Notes:** City Position: support

**SB 566 Involuntary psychiatric admission from local correctional facility.**

*Patron:* Barker

*Summary as introduced:*

**Involuntary psychiatric admission from local correctional facility.** Clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other officer in charge of the local correctional facility where the inmate is incarcerated.

01/13/16 Senate: Prefiled and ordered printed; offered 01/13/16 16103564D

01/13/16 Senate: Referred to Committee for Courts of Justice

**Notes:** City Position: support

**SB 586 Virginia Public Procurement Act; requirements for use of construction management.**

*Patron:* Ruff

*Summary as introduced:*

**Virginia Public Procurement Act; requirements for use of construction management.**

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b)

significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing. The findings for state public bodies shall be made by the Director under existing regulations and guidelines established by the Department of General Services. In addition, the bill defines "public body" for the purposes of the use of construction management for construction to include (i) public institutions of higher education that have executed a valid management agreement under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and (ii) localities and school divisions that were previously exempt based on the adoption of alternative policies and procedures based on competitive principles and generally applicable to procurement of goods and services by the locality or school division.

01/13/16 Senate: Prefiled and ordered printed; offered 01/13/16 16103754D

01/13/16 Senate: Referred to Committee on General Laws and Technology

02/04/16 Senate: Impact statement from DPB (SB586)

**Notes:** City Position: oppose

### **SB 599 Virginia Electronic Communications Privacy Act; established, report.**

*Patron:* Petersen

*Summary as introduced:*

**Virginia Electronic Communications Privacy Act; report.** Prohibits a state or local government agency from taking certain actions relating to access to electronic communication information from a service provider, access to electronic device information from any person other than the authorized possessor of the device, or access to electronic device information by means of physical interaction or electronic communication with the electronic device. Exceptions allow access to electronic communication information or access to electronic device information pursuant to a warrant or wiretap order or with the consent of the authorized possessor of the device. The measure establishes requirements for a warrant for electronic information. An agency that receives voluntarily-provided electronic communication information is required to destroy the information within 90 days unless, subject to certain exceptions. If an agency obtains electronic information pursuant to an emergency involving danger of death or serious physical injury to a person, that requires access to the electronic information without delay, it is required within three days to file an application for a warrant or order authorizing obtaining the electronic information or a motion seeking approval of the emergency disclosures. An agency that obtains electronic communication information is required to make an annual report to the Attorney General. The Attorney General's office is required to publish on its website the individual reports from each agency that requests or compels the production of contents or records pertaining to an electronic communication or location information and a summary of such information.

01/18/16 Senate: Reported from Commerce and Labor (15-Y 0-N)

01/18/16 Senate: Rereferred to General Laws and Technology

01/25/16 Senate: Rereferred from General Laws and Technology (12-Y 0-N)

01/25/16 Senate: Rereferred to Courts of Justice

02/01/16 Senate: Impact statement from DPB (SB599)

**Notes:** City Position: oppose

**SB 611 Tort claim; notice of claim against the Commonwealth, transportation district, or locality.**

*Patron:* Stanley

*Summary as introduced:*

**Notice of tort claim against the Commonwealth, transportation district, or locality.** Provides that the bar to a tort claim against the Commonwealth, a transportation district, or a locality for failure to file a written statement of the nature of the claim within one year after the cause of action accrues does not apply where there was actual knowledge of the claim within one year by the Commonwealth, its agency alleged to be liable, the Division of Risk Management, or any insurer or entity providing coverage or indemnification of the claim, the Attorney General, the transportation district, or the locality, as applicable.

01/13/16 Senate: Presented and ordered printed 16103209D

01/13/16 Senate: Referred to Committee for Courts of Justice

02/01/16 Senate: Impact statement from DPB (SB611)

02/03/16 Senate: Reported from Courts of Justice (8-Y 5-N 1-A)

02/05/16 Senate: Constitutional reading dispensed (39-Y 0-N)

**Notes:** City Position: oppose

**SB 645 FOIA; exempt records concerning critical infrastructure.**

*Patron:* McPike

*Summary as introduced:*

**Virginia Freedom of Information Act (FOIA); exempt records concerning critical infrastructure, government infrastructure, or security information.** Defines the terms "critical infrastructure," "government infrastructure," "interdependency," and "security information" for purposes of FOIA and revises the related FOIA public safety record exemption to incorporate those terms. The bill also sets out conditions precedent in cases where a custodian of any public safety records elects to exercise his discretion to release such records. The bill contains technical amendments.

01/18/16 Senate: Presented and ordered printed 16103916D

01/18/16 Senate: Referred to Committee on General Laws and Technology

01/19/16 Senate: Impact statement from DPB (SB645)

01/28/16 Senate: Assigned GL&T sub: #2

**Notes:** City Position: support

**SB 673 Erosion & Stormwater Mgmt. Act; consolidation of programs; opt-out for certain localities;penalty.**

*Patron:* Hanger

*Summary as introduced:*

**Virginia Erosion and Stormwater Management Act; consolidation of programs; opt-out for certain localities; penalties.** Combines existing statutory programs relating to soil erosion and stormwater management, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff.

The bill requires any locality that operates a municipal separate storm sewer system (MS4) or a Virginia Stormwater Management Program (VSMP) to adopt a Virginia Erosion and Stormwater Management Program (VESMP) that regulates any land-disturbing activity that disturbs an area

of 10,000 square feet or more, or 2,500 square feet or more if in a Chesapeake Bay Preservation Area. A locality that lacks an MS4 and for which the Department of Environmental Quality (DEQ) is currently administering a VSMP is required to (i) adopt such a VESMP, (ii) adopt such a VESMP with DEQ conducting plan review and making recommendations on the compliance of each plan with technical criteria, or (iii) continue to operate a separate Virginia Erosion and Sediment Control Program (VESCP) that regulates any disturbance of 10,000 square feet or more and, in a Preservation Area, regulates a disturbance of 2,500 square feet or more and meets certain other requirements. Any eligible locality that chooses the third option is to have a VSMP administered on its behalf by the Board for any land-disturbing activity that disturbs one acre or more of land, including an activity that disturbs a smaller area but is part of a larger development that results in a disturbance of one acre or more. Towns are afforded additional options in relation to the counties in which they are located.

The bill directs certain charges or penalties to the Stormwater Local Assistance Fund, which provides matching grants to local governments for stormwater best management practices. Finally, the bill directs DEQ to evaluate fees related to the consolidated Virginia Erosion and Stormwater Management Program and directs the Board to adopt regulations to carry out the purposes of the bill, delaying the effective date of the bill until the later of July 1, 2017, or 30 days after the adoption of such regulations.

01/19/16 Senate: Presented and ordered printed 16104330D

01/19/16 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

02/04/16 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (14-Y 0-N)

**Notes:** City Position: support

### **SB 705 Sanctuary cities; liability for certain injuries and damages.**

*Patron:* Black

*Summary as introduced:*

**Liability of sanctuary cities for certain injuries and damages.** Provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be responsible for the full amount of any personal injury or property damage caused by an illegal alien within such locality.

01/21/16 Senate: Presented and ordered printed 16103669D

01/21/16 Senate: Referred to Committee on Local Government

01/27/16 Senate: Impact statement from DHCD (SB705)

02/02/16 Senate: Reported from Local Government (7-Y 6-N)

02/04/16 Senate: Constitutional reading dispensed (40-Y 0-N)

**Notes:** City Position: oppose

### **SB 735 Local planning commission; action on proposed plat, commercial real estate.**

*Patron:* Obenshain

*Summary as introduced:*

**Local planning commission; action on proposed plat; commercial real estate.** Shortens the period within which a local planning commission or other agent must act on a proposed plat, site plan, or plan of development that solely involves parcels of commercial real estate. The bill shortens from 60 days to 30 days the period within which the commission shall act on a plat that has been officially submitted for approval and reduces from 45 days to 20 days the period for

action on a plat that the commission has previously disapproved. The bill reduces from 10 business days to seven business days the period within which the commission is required to forward the plat to a state agency if a review by the agency is required, and the agency's initial review period is reduced from 45 days to 20 days. The agency's second review period, for a plat that has previously been disapproved, is reduced from 45 days to 15 days. Once a plat receives all state agency approvals, the period for planning commission action on it is reduced from 35 days to 15 days. Finally, the bill reduces the periods of time that must pass before the subdivider is allowed to petition the circuit court for a decision on the plat from 60 days to 30 days after official submission for approval, from 45 days to 20 days after official resubmission following a previous disapproval, and from 35 days to 15 days from receipt of any state agency response. The bill also reduces the notice period required for the subdivider's petition to the court from 10 days to five days.

01/22/16 Senate: Presented and ordered printed 16103897D

01/22/16 Senate: Referred to Committee on Local Government

01/26/16 Senate: Impact statement from DHCD (SB735)

**Notes:** City Position: oppose

### **SB 746 Government employees; personal liability for certain inspections.**

*Patron:* Wagner

*Summary as introduced:*

**Personal liability of government employees for certain inspections.** Provides that a government employee who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be personally liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The provisions of this bill do not apply to law-enforcement officers.

01/22/16 Senate: Presented and ordered printed 16104254D

01/22/16 Senate: Referred to Committee for Courts of Justice

02/05/16 Senate: Impact statement from DPB (SB746)

**Notes:** City Position: oppose

### **SB 751 Limited Residential Lodging and Short-term Rental Lodging Act; penalty.**

*Patron:* DeSteph

*Summary as introduced:*

**Limited Residential Lodging and Short-term Rental Lodging Act; penalty.** Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30 consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions relating to noise, trash or recycling collection, and the posting of emergency information. The bill defines "limited residential lodging," "booking transaction," "hosting platform," "short-term

lodger," short-term lodging operator," and "short-term rental lodging," and provides for penalties for violations of the Act.

01/22/16 Senate: Presented and ordered printed 16104260D

01/22/16 Senate: Referred to Committee on Local Government

02/01/16 Senate: Impact statement from TAX (SB751)

02/02/16 Senate: Rereferred from Local Government (11-Y 0-N)

02/02/16 Senate: Rereferred to Finance

**Notes:** City Position: oppose unless language is amended